



KISHNER | MILLER | HIMES P.C.

40 Fulton Street, 12th Floor
New York, New York 10038
Tel.: (212) 585-3425
Fax: (888) 332-5658
www.kishnerlegal.com

February 25, 2022

VIA ECF AND FEDERAL EXPRESS

The Honorable Margo K. Brodie
Chief United States District Judge
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

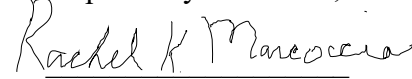
Re: *Bieber v. Cayuga Capital Management, LLC, et al.*
Case No. 21-cv-5268-MKB-RML

Dear Judge Brodie:

My office represents defendants Cayuga Capital Management, LLC, Sea Wolf Services, LLC, Jacob Sacks, and James Wiseman (collectively, the “Defendants”). I write to inform Your Honor that Defendants’ motion to dismiss Plaintiff’s Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure (the “Motion”) is fully briefed and all motion papers have been filed on ECF. Accordingly, pursuant to Rules 1.D and 3.D. of Your Honor’s Individual Practices and Rules, enclosed is a courtesy copy of the parties’ motion papers, which consists of the following: (1) Defendants’ Notice of Motion, (2) Memorandum of Law in Support of Defendants’ Motion (“Opening Brief”), (3) Plaintiff’s Memorandum of Law in Opposition to Defendants’ Motion, and (4) Reply Memorandum of Law in Further Support of Defendants’ Motion.

I also enclose a copy of Defendants’ letter dated January 14, 2022, which was filed on ECF and sent to Plaintiff’s counsel on that date with Defendants’ Notice of Motion and Opening Brief.

Respectfully submitted,


Rachel K. Marcoccia

Enclosures

c: The Honorable Robert M. Levy (via ECF and Federal Express without enclosures)
Plaintiff’s Counsel of Record (Via ECF and Federal Express with Defendants’ Reply Brief)